

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICHAEL WOOD,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

CASE NO. 2:22-cv-00636-DGE-

DWC

ORDER ADOPTING REPORT AND  
RECOMMENDATION


This matter comes before the Court on the Report and Recommendation of the Honorable Magistrate Judge David W. Christel. (Dkt. No. 175.) The Court, having considered the Report and Recommendation and the remaining record, and no objections having been filed, does hereby find and ORDER:

1. The Court adopts the Report and Recommendation.
2. Mason County Defendants' Motion for Judgment on the Pleadings (Dkt. 168) is

GRANTED-IN-PART and DENIED-IN-PART as follows:

- a. The excessive force and denial of post-arrest medical care claims alleged against Anderson, Ogden, Simington, and Helser remain; Wood's state law claims are dismissed; and Wood's claim against Mason County is dismissed.
- b. Defendant Garland and Gorang's Motion for Judgment on the Pleadings (Dkt. 169) is GRANTED-IN-PART and DENIED-IN-PART as follows: Wood's claim of denial of post-arrest medical care alleged against Garland and Gorang remain and Wood's excessive force and state law claims be dismissed.
- c. The excessive force and state law claims alleged against Merritt and the claims against the City of Bremerton are dismissed. However, the claim of denial of post-arrest medical care alleged against Merritt remains.
- d. Wood is granted leave to file an amended complaint as to claims against Mason County and the City of Bremerton. The amended complaint must include all defendants and claims that remain in this case and must exclude all previously dismissed claims. The amended complaint must be filed within twenty-one (21) days of the date of this Order.
- e. The Clerk is directed to send copies of this Order to counsel for the parties and to the Hon. David W. Christel.

Dated this 27th day of May, 2025.

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David G. Estudillo  
United States District Judge